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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,838	04/30/2007	Kwang Seok Kang	05-518-B	7868
20306 7590 09/24/2008 MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP 300 S. WACKER DRIVE 32ND FLOOR CHICAGO, IL 60606			EXAMINER AL HASHEMI, SANA A	
			ART UNIT	PAPER NUMBER
			2169	
			MAIL DATE	DELIVERY MODE
			09/24/2008 PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/585,838

**Applicant(s)**

KANG, KWANG SEOK

**Examiner**

Sana Al-Hashemi

**Art Unit**

2169

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/02)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### **DETAILED ACTION**

This action is issued in response to application filed 7/12/06.

Claims 1-6 are pending.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. The spec. failed to provide a proper support to the claimed subject matter. Therefore the claims were give the broadest reasonable interpretation in the database art.

Regarding claim 2, the phrase "OIDs" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed, thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d). The term "OIDs" should be spelled with the actual terminologies.

Regarding claim 3, the phrase "ASN.1" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed, thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d). The term "ANS.1" should be spelled with the actual terminologies.

Claim 3, is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the

invention. Wherein the “Access-Deny by using integers as abstract syntax” there is nothing in the claim discloses an access, nevertheless access deny. Clarification is required.

Claim 3 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. What has been cited between the parentheses is included in the claimed subject matter. Correction is required.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention is directed to a structure which is not tied to any computer or any physical entity, the claimed invention is directed to non-statutory subject matter. it is a software per se.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 USC 102 (e) as being anticipated by Sridhar et al. (Sridhar hereinafter) US Patent Application Publication No. 2005/0278692.

Regarding Claim 1, Sridhar discloses a structure of a Management Information Base (MIB) communicated between a Network Management System (NMS) and an agent of a Network Element (NE), the structure comprising:

a baseInfo for creating an objectInfoTable for describing object-type objects, a trapInfoTable for describing trap-type objects, and a baseInfoTable for describing common properties of MIB objects; and a syntaxInfo for creating a syntaxIntegerTable and a sequenceInfoTable (Fig. 1, Sridhar).

Regarding Claim 2 Sridhar discloses a structure wherein the baseInfoTable comprises:

baseInfoEntry, which includes a baseInfoIndex distinguishing instances of tables; a moduleName; an objectName mapped to names of all the management objects in a MIB for agent; an objectType describing types of management objects in a MIB for agent mapped to a notification type; an objectID mapped to OIDs of management objects in a MID for agent; and a description mapped to MIB management objects in a MIB (Fig. 3, Sridhar).

Regarding Claim 3, Sridhar discloses a structure wherein the objectInfoTable comprises:

objectInfoEntry, which includes an objectInfoIndex distinguishing instances of tables (Fig. 9, 62, Sridhar);

an objectBaseSyntax describing syntax of a MIB for agent and having Integer (Integer, Octet, String, Object Identifier) which is a initial type of ASN.1, and Sequence and Sequence Of which are composed types (Fig. 9, 94, Sridhar);

an objectComposedSyntax using display strings for abstract syntaxes; and objectStatus describing status kinds of MIB objects for agent and mapped to Mandatory, Optional and Obsolete, etc. by using integers as abstract (Fig. 9, 84, Sridhar); and

objectAccess describing the kind of access of MID objects for agent and mapped to Read, Read/Write, Write, Access-Deny by using integers as abstract syntaxes (Paragraph 10, Sirdhar).

Regarding Claim 4, Sridhar discloses a structure wherein the trapInfoTable comprises:

trapInfoEntry, which includes a trapInfoIndex distinguishing instances; a trapEnterprise mapped to enterprise values of track-type objects in a MID for agent and mapped to a NULL value if a notification type; and a trapVariable mapped to variable values of trap type objects in a MIB for agent and mapping target values if a notification type (Paragraph 15, Sirhdar).

Regarding Sridhar discloses a structure wherein the syntaxIntegerTable comprises:

a syntaxIntegerEntry, which includes a syntaxIntegerInfoIndex distinguishing instances of tables in a MIB for agent; a syntaxIntegerValue mapped to a sub-type of Integer of a MIB for agent; and a syntaxIntegerValueString one-to-one mapping strings to expression of a sub-type of syntax Integer of a MIB for agent (Fig. 10, Sridhar).

Regarding Claim 6, Sridhar discloses a structure wherein the sequenceInfoTable comprises: a sequenceInfoEntry, which includes a sequenceIndex distinguishing instances; a sequenceIndexValue mapped to table indexes of a MIB for agent and whose values are equal to a value indicating table indexes of a MIB for agent among the baseInfoIndex; and a

sequenceEntryInfo mapped to entry instances of a MIB for agent and whose values are equal to values indicating entry instances of a MIB for agent among the baseInfoIndeParagraph 162, Sridhar).

***Point of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is 571-272-4013. The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pierre Vital can be reached on 571-272-4125. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sana Al-Hashemi/

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Primary Examiner, Art Unit 2169